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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/628,336	07/28/2000	Kenji Kawai	35.C14677	3454

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EXAMINER

YANG, CLARA I

ART UNIT	PAPER NUMBER
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2635

DATE MAILED: 01/28/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/628,336

Applicant(s)

KAWAI ET AL.

Examiner

Clara Yang

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 13-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed on 14 October 2003 regarding claims 13 - 15 and 18 - 20 have been fully considered but they are not persuasive.

On page 7, the applicant states, "Accordingly, since the alarm device 22 merely transmits an alarm signal on a give frequency rather than transmitting an alarm signal to a specific registered device, Addy is not seen to transmit warning information to a registered device that has been registered by a user". On the contrary, Addy does teach the transmission of warning information to a user-registered device. Addy's system, as shown in Fig. 1, comprises of (a) central control unit 12, which is understood to be an electronic device; (b) initiating alarm device 22; and (c) non-initiating alarm devices 24. Per Addy, initiating alarm device 22 has an alarm sensor 34 that senses the presence of alarm conditions, such as a fire (see Col. 4, lines 17 - 23). Non-initiating alarm devices 24, on the other hand, only generates a sensory detectable output when activated by central control unit 12 via a broadcast alarm signal (see Col. 4, lines 3 - 7 and Col. 5, lines 57 - 59). When it detects an alarm condition, initiating alarm device 22 transmits an alarm signal via transmitter 36 to central control unit 12's receiver 14 (see Col. 5, lines 1 - 4, and 25 - 27). Central control unit 12 then transmits a broadcast signal representative of the alarm signal to all or a predetermined set of alarm devices via central transmitter 16 (see Col. 5, lines 44 - 53). As noted at the top of page 7 by the applicant, central control unit 12's broadcast signal may include addresses that identify alarm devices that are to be activated upon receiving the broadcast signal. Per Addy, the ability to address specific alarm device enables central control unit 12 to activate only those alarm devices in the vicinity of the alarm condition, such as a fire (see Col. 5, lines 44 - 53 and 57 - 67; and Col. 6, lines 1 - 13).

Consequently, Addy does teach a user registering alarm devices such that specific alarm devices are addressed via central control unit 12's broadcast signal.

On page 8, the applicant argues that though "the broadcast signal of Addy may include identifiers of alarm devices 24 that are to be activated, the identifiers are not used to register devices that are to receive the broadcast alarm signal." As support for the argument, the applicant states, "All of the alarm devices 24 receive the broadcast signal whether or not their identifier is included in the broadcast signal, with only the devices whose identifier is included in the broadcast signal being activated." It appears that the applicant only considers a device to be "registered" if the device is the sole recipient of a signal. However, this contradicts with what the applicant teaches in the specification. As shown in Fig. 1, the applicant indicates a plurality of devices connected by a serial bus. In order for one device (stereo 102, for example) to send a data packet (i.e., a message) to a specific device, such as refrigerator 106, the applicant discloses that the data packet, as shown in Fig. 8, must include field 805, which is a destination node ID field for the refrigerator, and field 806, which is the source node ID for the stereo. When transmitting data on a bus, all of the devices between the source device and the destination device receives the data packet. For example, when the stereo transmits a data packet to the refrigerator, computer 101 first receives the data packet. Upon determining that its node ID fails to match with the destination node ID in field 508, the computer then sends the data packet to the next device. This process continues until the data packet reaches the refrigerator. Though Addy's network is wireless, central control unit 12's broadcast signal is processed in a similar manner; hence Addy's alarm devices 24 are registered devices when their addresses are stored in central control unit 12.

On pages 9 and 10, the applicant argues that U.S. Patent No. 5,706,191 (Bassett et al.) and U.S. Patent No. 4,259,549 (Fahey et al.) fail to teach the features missing from Addy's invention. Because Addy does teach transmitting broadcast signals to registered and unregistered alarm devices as explained above, these arguments are moot.

*Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 13 - 15 and 18 - 20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,028,513 (Addy).

Referring to Claims 13 and 18, Addy teaches a central control unit 12 (i.e., "an electronic device") and method, as shown in Fig. 1, comprising: (a) central receiver 14 or detecting unit for detecting that a warning status has occurred (see Col. 4, lines 29 - 31); (b) siren 18 or warning unit for notifying a user that the warning status has occurred; and (c) central transmitter 16 or communication unit for transmitting warning information indicating that the warning status has occurred (see Col. 5, lines 48 - 58 and Col. 8, lines 20 - 25). Per Addy, central control unit 12's broadcast signal optionally comprises identify information of an individual or sets of alarm devices to be activated (see Col. 5, lines 57 - 67), thus implying that a user enters the addresses or identity information (i.e., registers the alarm devices) of the alarm devices into controller 11.

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Addy imparts that central transmitter 16 transmits the warning information to registered alarm devices 22 and 24 when the detected warning status is not released (see Col. 5, lines 44 – 51 and Col. 6, lines 1 – 11). Furthermore, Addy discloses that if the alarm condition or warning information is still present upon termination of a predetermined delay, then additional alarm devices 22 and 24 are activated (see Col. 6, lines 11 – 13). Because Addy teaches that controller 11 of central control unit 12 is able to initiate transmission of a broadcast signal to all or a predetermined set of alarm devices 22 and 24 via central transmitter 16 (see Col. 5, lines 48 – 51 and Col. 8, lines 20 – 25), it is understood that the additional alarm devices 22 and 24 are unregistered devices.

Regarding Claims 14 and 19, Addy's registered and unregistered alarm devices 22 and 24 are all connected to central control unit 12 via signals within a radio frequency (RF) band (see Col. 4, lines 39 – 46; Col. 5, lines 48 – 51; Col. 6, lines 1 – 13; and Col. 8, lines 20 – 25). Here it is understood that central control unit 12 and registered and unregistered alarm devices 22 and 24 form a network.

Regarding Claims 15 and 20, Addy imparts that alarm devices 22 and 24 have an alarm notification device 44, which is a siren or equivalent audible means (see Col. 4, lines 31 – 34), thereby implying that the broadcast signal or warning information comprises audio data.

#### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 16 and 21 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,028,513 (Addy) as applied to claims 1 and 18 above, and further in view of U.S. Patent No. 5,706,191 (Bassett et al.).

Regarding Claims 16 and 21, Addy omits teaching connecting central control unit 12 and alarm devices 22 and 24 to a home network.

In an analogous art, as shown in Fig. 1, Bassett teaches an automated residence management system that comprises fire alarms, smoke and CO2 detectors, and security systems (see Col. 14, lines 60 - 63). By providing each device or system with an appliance interface module (AIM) 70 - 78, monitoring and diagnostic functions of the devices or systems are achieved (see Col. 5, lines 53 - 63 and Col. 6, lines 11 - 35). For example, when an AIM detects potential failure or required scheduled replacement of a part, a message such as "replace air filter" is flashed on a television set that is connected to the automation system (see Col. 14, lines 36 - 43).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Addy's central control unit 12 and method as taught by

Bassett because connecting central control unit 12 to a home automation network enables central control unit 12 to be monitored for potential failure or required replacement of a part, thereby improving the reliability of the alarm system.

7. Claims 17 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,028,513 (Addy) as applied to claims 1 and 18 above, and further in view of U.S. Patent No. 4,259,548 (Fahey et al.).

Regarding Claims 17 and 22, Addy's central control unit 12 or electronic device is able to transmit the warning information to a predetermined device in an external network via dialer 20 (see Fig. 1; Col. 5, lines 44 - 48). Addy, however, is silent on transmitting the warning information to a predetermined device in an external network if the detected warning status is not released in spite of transmitting the warning information to the unregistered alarm devices 22 and 24.

In an analogous art, Fahey teaches a home health care system, which includes a remote control unit (RCU) or electronic device that is connected to a plurality of sensors for detecting fires and monitoring routine activities of an individual (see Col. 9, lines 26 - 43 and Col. 11, lines 31 - 37). Fahey imparts that when the RCU detects an alarm condition, the RCU initiates a pre-alarm cycle (see Col. 14, lines 2 - 25). Per Fahey, failure to cancel or abort the alarm sequence during the pre-alarm cycle automatically leads to the actual alarm cycle during which communication with the centralized communications center (CCC) is initiated via telephone (see Col. 14, lines 12 - 30 and Col. 15, lines 35 - 51).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Addy's central control unit 12 and method as taught by Fahey because a central control unit 12 that transmits the warning information to a



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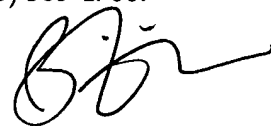
predetermined device in an external network only when the detected warning status is not released after transmitting the warning information to the unregistered alarm devices 22 and 24 prevents the dispatch of emergency personnel in the event of a false alarm.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clara Yang whose telephone number is (703) 305-4086. The examiner can normally be reached on 8:30 AM - 7:00 PM, Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on (703) 305-4704. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.



BRIAN ZIMMERMAN  
PRIMARY EXAMINER

CY  
15 January 2004